

Before the
Federal Communications Commission

In the Matter of)	
)	
Telecommunications Relay Services)	
And Speech-to-Speech Services for)	CG Docket No. 03-123
Individuals with Hearing and Speech)	
Disabilities)	
)	
Speech-to-Speech and Internet Protocol (IP))	CG Docket No. 08-15
Speech-to-Speech Telecommunications Relay)	
Services)	

Comments of the American Association of People with Disabilities (AAPD)

The American Association of People with Disabilities (AAPD)¹ is pleased to take this opportunity to provide some comments on ways to improve the provision of Speech-to-Speech (STS), as proposed in the Notice of Proposed Rulemaking (NPRM).²

The NPRM seeks comment on whether to modify the minimum time period that a Communications Assistant (CA) should be required to stay on a call, ways to improve outreach associated with STS and comments on a tentative conclusion that Internet Protocol STS (IP STS) is a form of telecommunications relay service (TRS) eligible for compensation from the Interstate TRS Fund and related issues relevant to the provision, regulation, and compensation of IP STS, including the appropriate compensation rate for IP STS, and whether it should be compensated at the same rate as STS.

In general, AAPD is very interested in efforts to improve and expand communications access over the Internet that would benefit people with disabilities. In coalition with over 200 disability organizations and related entities, AAPD advocates actively to ensure that

¹The American Association of People with Disabilities (AAPD) is the largest national nonprofit cross-disability member organization in the United States, representing the interests of more than 50 million persons with disabilities, and dedicated to organizing the disability community to be a powerful force for change politically, socially, and economically. AAPD works in coalition with other disability organizations for the full implementation and enforcement of disability nondiscrimination laws, particularly the Americans with Disabilities Act (ADA) of 1990 and the Rehabilitation Act of 1973, as well as other statutes, such as disability accessibility mandates in the Communications Act.

² Federal Register, August 13, 2008 Volume 73, Number 157, page 47120.

legislative and regulatory safeguards are in place so people with disabilities have access to evolving high speed broadband, wireless, and other Internet-based technologies.³

AAPD therefore supports regulatory changes that would allow persons with speech disabilities to make use of Internet-based technologies for relay calls and other phone or phone-like services. AAPD supports new forms of TRS and STS, such as the proposed IP STS, with functions similar to STS in which the STS user would connect to the Communications Assistant (CA) over the Internet instead of the Public Switched Telephone Network (PSTN).

AAPD asserts that IP-STS may involve broadband Internet use which may, for instance, provide opportunities for new forms of STS, such as Video Speech To Speech (V-STS), that would allow Communications Assistants at relay centers, and persons who are calling persons with speech disabilities peer-to-peer, to see the gestures and others cues a person with a speech disability may use to communicate during such phone calls. AAPD comments specifically on the issues as raised in the NPRM as follows:

Internet Protocol Speech-to-Speech

AAPD supports the petition⁴ that seeks clarification that IP STS is a form of TRS eligible for compensation from the Interstate TRS Fund, a type of STS that uses the Internet, rather than the PSTN. AAPD supports the petitioners' assertion that IP STS offers certain benefits over traditional STS, including portability and ease of use, and that IP STS could help spur some TRS competition and innovation and believes the Commission is correct in its conclusion that IP STS is a form of TRS because it is an extension of traditional STS that employs an Internet connection between the STS user and the CA. AAPD also concurs that all IP STS calls may be compensated from the Fund if provided in compliance with the Commission's rules, and at the same rate as STS and that a common carrier desiring to provide IP STS may seek Commission certification in order to be eligible for compensation from the Interstate TRS Fund.

AAPD encourages the Commission to establish rules for IP STS that provide functional equivalency for persons with speech disabilities including emergency call handling rules that would provide the option for IP STS users to obtain a ten-digit North American Numbering Plan (NANP) telephone number to facilitate such calls.

STS and Potential IP-STS Users

³ See primary goal of the Coalition of Organizations for Accessible Technology (COAT), at <http://www.coataccess.org/node/51>, April 17, 2008. AAPD is a founding and steering committee member of COAT, last accessed 9/8/08.

⁴ Request for Clarification that Internet Protocol Speech-to-Speech Service is a Form of Telecommunications Relay Service Compensable from the Interstate TRS Fund, CG Docket No. 08-15, Public Notice, DA 08-292; published at 73 FR 1649, April 7, 2008.

Our understanding is that there are 2.6 million people with speech disabilities in the U.S., according to the U.S. Census. That is, the number of people 15 and older who have some difficulty having their speech understood by others and, of this number, 610,000 were unable to have their speech understood at all.⁵ Advocates believe that the Census-based figure may be an undercount of the persons in the U.S. with speech disabilities. For example, there are over three million Americans who stutter or approximately 1% of the population, according to The Stuttering Foundation.⁶ AAPD sees this group as potential users of new forms of STS.

And, according to the American Speech Language Hearing Association (ASHA), millions of persons in the U.S. have speech, voice, and/or language disorders. For instance, about one million persons in the United States have aphasia (partial or complete impairment of language comprehension and expression caused by brain damage, most often from stroke). Additionally there are specific disorders giving rise to speech disability such as Parkinson's Disease, estimated at 930,000 people, or 0.3% of the general population, and about 1% of the population older than 60 years. Likewise, Huntington's Disease, a fatal, genetically based brain disorder in which there is progressive neurodegeneration leading to motor, cognitive and psychiatric symptoms, including severe speech disability, affects 5 out of 100,000 people with symptoms usually occurring at the age of late 40s.⁷

AAPD believes that these specific populations may likely have higher rates of employment, or have histories of employment, than the group of persons with speech disabilities as a result of severe physical or medical conditions – and who are often seen as the target group users for STS. Therefore AAPD believes that the potential users of new forms of STS are greater than present STS user statistics may indicate. As such, our recommendation is that providers of STS find ways to conduct outreach in partnership with entities that work with these populations in order to ensure maximum use of any available, or new, STS.

Extension of 15-Minute Call Duration Rule to 20 Minutes or Another Length of Time

AAPD supports the petitioners' request⁸ to require that the current 15 minute requirement for Communications Assistants (CAs) be improved for STS users so that it changes to a 20-minute period. We support that this type of relay call does not commence until there is "effective" communication between the STS user and the Communications Assistant.

⁵ U.S. Census May 2007. See at http://www.census.gov/Press-Release/www/releases/archives/facts_for_features_special_editions/010102.html, last accessed 9/7/08.

⁶ The Stuttering Foundation at <http://www.stuttersfa.org/Default.aspx?tabid=17>, last accessed 9/8/08.

⁷ Source: ASHA, at http://www.asha.org/members/research/reports/speech_voice_language.htm, last accessed 9/9/08.

⁸ June 26, 2006, Bob Segalman and Rebecca Ladew.

Our understanding is that it can take persons with speech disabilities a good 10 minutes to develop effective communication, particularly if they are using Alternative and Augmentative Communication (AAC) devices or other “talking devices.” Indeed there are many persons whose speech disability manifests as needing considerably more time to talk than the average person due to the nature of their speech and/or other disabilities.

Determination of When “Effective” Communication Begins

AAPD asserts that effective communication begins when the STS user and the STS CA have reached a point where both sides understand it is an STS-type relay service call and they have established what protocols they will use to complete the call. These protocols should involve establishing how the call will transpire as determined by the user of the STS form of relay. This may include allowing the STS user to proceed verbally if the receiver of the call understands what the person with the speech disability is saying, rather than the CA voicing at all times what the person with a speech disability is saying (this requires sensitive listening skills on the part of the CA).

Approaches and Requirements to Ensure Greater Efficiency of STS Calls

Profiles: AAPD believes that for users of STS relay service who establish profiles for their use, that this information should be immediately available to the STS Communications Assistant such as on-screen or by other similar “rapid recall” means. Whether or not if there is a profile, we also think it preferable that STS Communications Assistants are well-identified at relay service centers so that CAs who are not specifically trained for STS are able to switch the STS call to a more experienced STS relay CA so that the provider can, overall, provide a better and more “consistent STS relay experience” for users.

AAPD also suspects that new and potential users of STS do not know that they can have a call profile at the relay center and, if they have been deterred from using STS by difficulties accessing STS through 711, they may not know how useful this feature is for them. AAPD urges the Commission to require inclusion of the availability of this service as a notification to users in any TRS outreach materials or programs.

Muting: AAPD recommends the Commission should require STS providers to offer the STS user the option to have his or her voice muted so that the user’s voice is not heard by the recipient of the call. This may alleviate negative feelings about speech disability on the part of STS users (that is, for both recipients and speech-disabled makers of calls).

711 Menu Prompts: We believe there remain problems concerning 711 dialing to reach STS CAs for both speech disabled and non-speech disabled persons attempting to reach a relay service center and make an STS call by dialing 711. Specifically, these problems involve reaching immediately an available STS-trained CA.⁹

⁹ For instance, a call to 711 in Washington, DC on September 12, 2008 at 4:22 p.m. took this advocate directly to a “DC Relay Services” CA and when a request was made for an STS

These problems may involve being asked to hang up and dial another number or struggling with an interactive menu where the choice or option to select “STS” is not immediately apparent to the user of the menu system. Some STS users may also have concomitant intellectual disabilities and will have considerable difficulties dialing more than a three-digit number. Other STS users have limited dexterity and difficulty dialing and they will also have access problems if, to reach STS, requires multiple keystrokes.

AAPD’s understanding of 711service is that this should be a means to directly reach an STS CA and the expectation would be that there is a menu reached when dialing 711 so that the speech disabled person or the person wishing to call a speech-disabled person would reach an STS CA easily. We would therefore encourage the use of prompts and selections at interactive menus when dialing 711 to more promptly reach an STS CA, rather than having to hang up and re-dial another number, or work one’s way through a long menu. AAPD recommends the “STS option” at the first level of the menu tree so that anyone dialing 711 would know this is an option, for example, “press 1 for Speech-to-Speech.”

Silence on the Line. The Commission should also require that when an STS user is silent but does not say “good-bye,” the CA cannot disconnect from either party until at least 60 seconds has passed.

Nationwide STS Provider

AAPD understands that there has been insufficient outreach over the eight years that STS has been a mandated form of TRS and that the population of persons with speech disabilities may be difficult to reach and to assist in making and completing phone calls.

AAPD supports the suggestion that it might be appropriate to have a single, nationwide IP-STS provider that is compensated from the interstate relay services fund. The basis for this would be similar to that for IP Relay, Video Relay and IP CTS since one link of the call is made via the Internet and it is generally not possible to determine whether a particular call is interstate or intrastate.

We believe that there are lessons from Video Relay Service (VRS) provision that may support this approach since VRS is not mandated and there are more than a few providers who provide VRS on a nationwide basis and because VRS involves IP.

CA, “so I can place a call with a speech-disabled person” the answering CA politely put the call “on hold to check with a supervisor.” A minute or two later the supervisor responded saying “you have to hang up and call the speech-to-speech line at 800-898-0740 in order to complete your call.” When reaching this number, the CA responded with “DC Relay Service” and did not clarify she was an STS CA until asked.

AAPD is uncomfortable at this time with any approach that would take away from the obligation on states to oversee the provision of intrastate STS-TRS; however, we believe there may be a time after a trial of “nationwide STS” when this requirement may need to be re-visited and cautions the Commission to proceed very slowly in regard to changing any state obligations.

Thank you for considering our points.

Respectfully submitted,

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